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PATENT APPLICATION

ATTORNEY DOCKET NO. 10003234-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert E. Haines et al.

Confirmation No.: 2649

Application No.: 09/733,472

Examiner: B. R. Bruckart

Filing Date: December 8, 2000

Group Art Unit: 2155

Title: CONSUMABLE ORDER-ASSISTANCE SYSTEM FOR COMPUTER PERIPHERAL DEVICES WITHIN A
CENTRALIZED NETWORK ENVIRONMENT AND METHOD

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on November 2, 2006.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

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Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dated: December 21, 2006

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HP Docket No. 10003234-1

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Sir:

REPLY BRIEF OF APPELLANTS

This Reply Brief of Appellants is presented in reply to the Examiner's Answer dated November 2, 2006.

At the time of appeal to the Board, claims 1, 3-27 and 30-44 were rejected under 35 U.S.C. § 103(a) as being obvious over Fan et al. (U.S. Patent No. 6,310,692) in view of Sekizawa (U.S. Patent No. 6,430,711), Silva et al. (U.S. Patent Application Publication No. US 2001/0034658) and/or Yanagidaira (U.S. Patent No. 6,490,052).

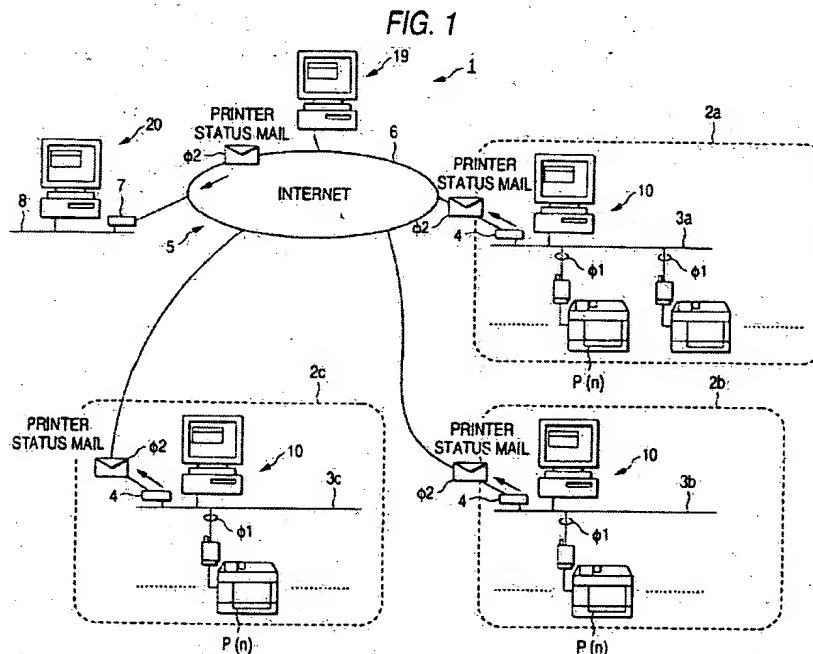
In the Appeal Brief, Appellants argued, among other things, that the cited references, either individually or in any permissible combination, fail to disclose each feature of the rejected claims. For example, Appellants noted that Sekizawa does not disclose, teach or suggest a system that delivers an e-mail (or message) consolidating the need to replenish consumable components for a select group of computer peripheral devices. Instead, the Sekizawa system, at best, teaches sending an e-mail consolidating status information of printers associated with a particular agent unit.

In the Examiner's Answer, the Examiner maintained the rejections of the claims. Additionally, Examiner asserted that Sekizawa teaches "sending an email consolidating the needs to replenish or maintain two or more devices in need" because Sekizawa discloses (1) "consolidating status information into an email" and (2) status information that "identifies the levels of consumable articles and predicts their future lifespan" (Examiner's Answer, pp. 18-19).

Appellants continue to assert that the cited references, either individually or in any permissible combination, fail to disclose each feature of the rejected claims. Additionally, contrary to Examiner's interpretation of Sekizawa, Appellants assert that Sekizawa does not disclose, teach or suggest a system that delivers an e-mail (or message) consolidating the need to replenish consumable components for a select group of computer peripheral devices recited in the rejected claims, as further discussed below.

Sekizawa discloses a system for monitoring the state of printers connected to a network. The system includes local monitoring (agent) units, a mail server and an

integrated monitoring (console) unit. Each of the local monitoring units gets status information from printers associated with that unit and then prepares status mail having the status information (Sekizawa; col. 19, Ins. 15-35). The status information consists of the remaining amounts of consumable articles of the printer (Sekizawa; col. 9, Ins. 13-16). Each of the local monitoring units then sends the status mail to the mail server via the Internet. At the proper time, the integrated monitoring unit reads the status mail stored in the mail server (Sekizawa; col. 19, Ins. 15-35). The integrated monitoring unit also predicts the "statistics of the remaining amount of the consumable article" based on the status mail from the local monitoring units so that the operator can understand whether a machine is "consuming consumables at high speed or low speed" (Sekizawa; col. 9, Ins. 16-23). Fig. 1 of Sekizawa is reproduced below for convenience of review.



Sekizawa does not, however, disclose, teach or suggest a system that delivers an e-mail (or message) consolidating the need to replenish consumable components for a select group of computer peripheral devices, as recited in the rejected claims, for at least two reasons.

First, the status information obtained and consolidated in status mail by the Sekizawa system is limited to only the remaining amounts of consumable articles. Contrary to Examiner's assertions, the status information does not include future lifespan predictions, much less the need to replenish the consumable articles. Instead, the future lifespan predictions are generated by the integrated monitoring system of Sekizawa after receiving the status mail from the local monitoring units. Thus, the Sekizawa system, at best, generates an e-mail that consolidates only the remaining amounts of consumable articles.

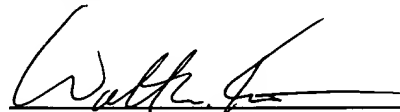
Second, even assuming, without admitting, that the future lifespan predictions generated by the integrated monitoring system of Sekizawa can be included with the status information obtained by the local monitoring units (even though Sekizawa does not include any teaching, suggestion or motivation for such a modification), that information still does not identify the need to replenish consumable articles. Instead, the information consists of the remaining amounts of consumable articles and future lifespan predictions of those articles. Merely knowing how much of a consumable article is left and whether the consumable article is being consumed at a high speed or a low speed do not identify for a user when the consumable article needs to be replenished.

Therefore, Sekizawa, either alone or in combination with one or more of the other cited references, does not disclose a system that delivers an e-mail consolidating the need to replenish consumable components for a select group of computer peripheral devices, as recited in the rejected claims.

The rejections of claims 1, 3-27 and 30-44 under 35 U.S.C. § 103(a) is improper for at least the reasons set forth above, and in Appellants' earlier-filed Brief of Appellants. Accordingly, the rejections of all pending claims should be reversed.

Respectfully submitted,

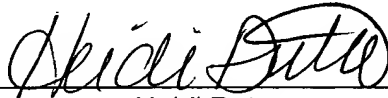
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